

Applicant : Takashima Mitsuru
Serial No. : 10/018,676
Filed : December 24, 2002
Page 6

REMARKS

Claims 2-5 are pending in the application. Applicant has amended Claims 2, 3, and 5 along with the specification in accordance with the Examiner's objections for informalities. These amendments do not constitute new matter, and their entry is respectfully requested. Reconsideration and withdrawal is respectfully requested of the objections to the specification as set forth in the Office Action at paragraph 3, and of the objections to the claims as set forth in the Office Action at paragraphs 4-6.

Reconsideration is respectfully requested of the rejection of Claims 2-5 under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 2 has been amended in part to address the objections thereof set forth in the Office Action at paragraph 8. In particular, Claim 2 has been amended to recite that the closed air type sound sensors are "in communication with" respective closed compartments. This amended claim language makes it clear that a non-directional microphone and a pressure sensor are in communication with the plurality of closed air pressure sensors. Further, Claim 2 has been amended to recite "one or more of" a non-directional microphone and a pressure sensor. This amended claim language makes it clear that the plurality of closed air pressure sensors may include a non-directional microphone, a pressure sensor, or both. Accordingly, it is respectfully submitted that amended Claim 2 and dependent claims 3-5 are clear and definite in their recitation of the present invention and meet all requirements of 35 U.S.C. § 112.

Reconsideration is respectfully requested for the rejection of Claims 2-4 under 35 U.S.C. § 102(b), as being anticipated by

Applicant : Takashima Mitsuru
Serial No. : 10/018,676
Filed : December 24, 2002
Page 7

U.S. Pat. No. 5,853,005 (hereinafter Scanlon). Features of the biomedical information collection apparatus according to the present invention are a plurality of closed air pressure sensors including a plurality of closed compartments and a plurality of non-directional microphones and pressure sensors. A plate-shaped member is placed on the plurality of closed compartments. When a living organism is placed on the plate, biomedical information is read from the living organism.

Scanlon does not disclose a plate-shaped member placed on the plurality of closed compartments. The Examiner notes that the Scanlon apparatus "can be built into a crib, seat or gurney where the body-contacting surface of the crib, seat or gurney forms a plate-shaped member on the plurality of closed compartments, which may be spaced apart or adjacent to one another." See paragraph 10. Applicant respectfully points out that the plate-shaped member 70 is different structurally than the apparatus disclosed by Scanlon. By using the plate-shaped member and the plurality of closed compartments, pressure or weight of the organism is widely spread over the plurality of closed compartments. Information signals from the organism can be completely collected even when the organism moves to the varying edges of the plate-shaped member. The apparatus disclosed by Scanlon does not contemplate pressure or weight distribution, but rather focuses on specific areas to collect biomedical information. See Fig. 4, 5, and 6.

Applicant appreciates the Examiner's finding of Allowable Subject Matter in Claim 5. Claim 5 has been amended and Claims 14 and 15 have been added according to the Examiner's suggestion to rewrite Claim 5 to overcome the rejection under

Applicant : Takashima Mitsuru
Serial No. : 10/018,676
Filed : December 24, 2002
Page 8

35 U.S.C. § 112, second paragraph, and to include all limitations of the base claim and any intervening claims. Allowability of Claim 5 is respectfully requested.

In summary, Applicant submits that he has addressed and overcome all of the pending rejections and objections lodged in the Office Action, and that the application is now in condition for allowance. Applicant requests notice to this effect at the Examiner's earliest convenience.

No fee is deemed necessary in connection with the filing of this Amendment. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



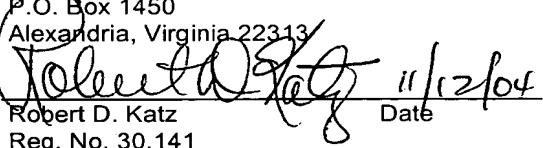
Robert D. Katz
Registration No. 30,141
Attorney for Applicant
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313


Robert D. Katz
Reg. No. 30,141

Date

11/2/04